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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/372,560	08/11/1999	OLAF VANCURA	1482/198(A)	1559

7590 04/12/2002

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EXAMINER

PIERCE, WILLIAM M

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 04/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

10

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/372,560	VANCURA, OLAF	
	<b>Examiner</b>	<b>Art Unit</b>	
	William M Pierce	3711	

All participants (applicant, applicant's representative, PTO personnel):

- (1) William M Pierce. (3) \_\_\_\_\_  
(2) H fezzner. (4) \_\_\_\_\_

Date of Interview: 02 April 0202 .

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.  
If Yes, brief description: Proposed claims (attached) .

Claim(s) discussed: 1, 42 .

Identification of prior art discussed: Walker, '642 and de Keller .


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet .

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
WILLIAM M. PIERCE  
PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

#### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

##### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed criticality of the games having separate and independent payoffs (i.e. the results of the 2nd game do not affect the payout from the first. Critical to the invention is that a player must 1st play a game of chance (where the house is guaranteed a profit) before playing the knowledge game where a player with perfect knowledge can always win. The combined profit expected from the first game and payouts that may result from the second game will not result in a loss to the house. Appl. expressed that a player must play the first game before being able to play the second game which is more enticing based on its mental allure.

1. (thrice amended) A method for playing a casino game comprising [the steps of]:

receiving a wager for the casino game,

playing an underlying game of chance in the casino game,

awarding payoffs when play of the underlying game of chance results in a winning combination.

playing a knowledge-based bonus game in the casino game using answers from a player when a bonus condition occurs in the underlying game, the play of the knowledge-based game having a bonus payoff separate from the payoffs awarded in the play of the underlying game of chance so that the payoffs are made for the underlying game regardless of the outcome of the knowledge-based game, the combined play of both the knowledge-based bonus game with the underlying game of chance over time having a house advantage for the casino game within a predetermined range, the predetermined range having set limits based on the correctness of the answers and the wager.

19. (amended) A method for playing a combined knowledge-based bonus game with an underlying casino game of chance, the method comprising [the steps of]:

receiving a wager,

playing the underlying casino game of chance,

stopping play of the underlying casino game of chance,

paying the player when a winning combination occurs in the underlying casino game of chance,

playing the knowledge-based bonus game when the underlying casino game of chance is stopped and a bonus condition occurs in the underlying game,  
the steps of playing the knowledge-based game at least [having the steps of]  
comprising:

(a) providing at least one query to the player in the knowledge-based game,

(b) receiving at least one answer from the player in response to the provided at least one query,

(c) paying the player based upon the at least one answer by the player,

(d) paying the player the payoff of the underlying game regardless of the outcome of the knowledge-based game.

providing a house advantage within a predetermined range for the combined knowledge-based bonus game and underlying casino game, the predetermined range having a set limit based at least upon all answers to all queries in the knowledge-based game are always correct and the wager.

25. (twice amended) A method for playing a combined knowledge-based bonus game with an underlying casino game of chance, the method comprising [the steps of]:

playing the underlying casino game of chance,

awarding payoffs when play of the underlying game of chance results in a winning combination,

playing the knowledge-based bonus game when play of the underlying game of chance stops and a bonus condition occurs in the underlying game, the play of the knowledge-based bonus game being separate from the underlying [game] casino game of chance so that the payoffs are made for the underlying game regardless of the outcome of the knowledge-based game, the steps of playing the knowledge-based game at least [having the steps of] comprising:

(a) providing at least one query to a player in the knowledge-based game,

(b) receiving at least one answer from the player in response to the provided at least one query,

(c) paying the player based upon the at least one answer received,



the separate play of the knowledge-based bonus game with the underlying casino game having a house advantage in a range from a first set limit based on all answers to all queries are correct to a second set limit based on all answers to all queries are guessed.

42. (twice amended) A method for a casino game comprising [the steps  
of]:

providing a first game of chance,

providing a second knowledge-based game,

*Place wager*  
playing the first game of chance having a negative player's expected

return relative to a player's wager,

stopping play of the first game of chance when a bonus condition occurs

in the first game of chance,

playing the second knowledge-based game using answers from a player

when the first game is stopped, the second knowledge-based game always

having a positive player's expected return, and paying the player the payoff of the

underlying game regardless of the outcome of the knowledge-based game.

*Combined odds*

191566

*always amounts to house  
profit regardless of knowledge  
of player*